IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

MONDAY, THE 24TH DECEMBER 2007 / 3RD POUSHA 1929

WP(C).No. 38168 of 2007(R)

PETITIONER:

C.Y.KOCHUDEVASSY, UPPER DIVISION CLERK,
VANDIPERIYAR GRAMA PANCHAYAT,
IDUKKI DISTRICT.

BY ADV. SRI.K.JAJU BABU
SRI.BRIJESH MOHAN
SRI.T.S.SHYAM PRASANTH

RESPONDENT:

THE DIRECTOR OF PANCHAYATS,
TRIVANDRUM.

BY GOVT.PLEADER SHRI BEJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 24/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI,J.

W.P.(C)No.38168 OF 2007-R

DATED THIS THE 24TH DAY OF DECEMBER, 2007

J U D G M E N T

Petitioner is an Upper Division Clerk presently working in the Vandipperiyar Grama Panchayat in Idukki District. He is a native of Angamaly in Ernakulam District. He submits that his wife is a physically handicapped person with 40% disability. Petitioner himself met with an accident and suffered serious head injuries in September, 2007. He finds it very difficult to stay away from home. He sought for a posting in Ernakulam District. Petitioner's claim in this regard is contained in Exhibit P3. Petitioner refers to Exhibit P4 Government Order . Petitioner is aggrieved by the fact that without considering his claim, transfers and postings have been effected under Exhibits P5 and P6. Hence, the writ petition.

2. I have taken note of the fact that petitioner himself is not keeping good health now on account of the accident he met in September, 2007. His wife is also a physically handicapped person. Petitioner is due to retire in 2010. Taking note of all

these facts, I am of the view that the petitioner's request for a posting in Ernakulam District is to be considered sympathetically and seriously.

3. In the result, after hearing the learned Government Pleader also, the writ petition is disposed of directing the respondent to consider the petitioner's claim as contained in Exhibit P3 at the earliest with specific reference to the factors mentioned above and take a decision thereon within a period of six weeks from the date of receipt of a copy of this judgment.

V.GIRI, JUDGE.

dsn